

NORFOLK, VIRGINIA

REGULAR SESSION OF COUNCIL

TUESDAY, NOVEMBER 19, 2013

President Fraim called the meeting to order at 6:05 p.m. with the following members present: Mr. Burfoot Mr. Protogyrou, Mr. Smigiel, Dr. Whibley, Ms. Williams and Mr. Winn. Mr. Riddick was absent.

He thereupon welcomed members of the City's General Assembly Delegation present for the meeting (Delegate Lynwood Lewis, Jr., Senator Kenny Alexander and Delegate Daun Hester), and Norfolk Public Schools Superintendent, Dr. Samuel T. King, and Dr. Kirk T. Houston, Chairman.

He thereupon called on Bryan Pennington, Director of Intergovernmental Relations, to review the City's 2014 Legislative Priorities.

LEGISLATIVE PACKAGE:

Mr. Pennington provided an overview of City Council's approved draft 2014 Legislative Priorities package. The City of Norfolk is a \$1.2 billion-dollar organization enterprise that includes general fund as well as capital budgets. Approximately 36 percent of the City's general fund comes from the Commonwealth with only .8 percent which is \$6.5 million dollars that comes from federal aid and approximately 37 percent of Norfolk's real estate is tax exempt; so the city is unable to collect any municipal revenues to provide for particular services. Norfolk has made a series of budget adjustments as a city organization at Council's specific direction, but it appears at this preliminary stage that the City is attempting to identify how to address some budget shortfalls that are directly related to cuts in both state and federal funding. Since the FY09 Norfolk Public Schools has received over \$30 million in reductions of state and federal assistance. However, Norfolk has maintained and increased its support for Norfolk Public Schools.

In discussions about the new landscape for transportation in Virginia, HB-2313 eliminates crossover of construction monies that were occurring prior to its inception. It also provides sufficient maintenance funding to bring state-responsible roads up to good repair. However, the larger portion of the secure improvement plan is primarily being used for reconstruction of existing roads

and bridges. It's not new construction money and there has not been any addressed in HB-2313 for local money to maintain when made despite the overwhelming evidence of deficiencies as experienced across the state.

Mr. Pennington introduced Mr. Mike Edwards, from Kemper Consulting, who will be assisting along with the Kemper Team this session with advancing Council's priorities and legislative requests this General Assembly Session.

Legislative request number one is a request that Delegate Stolle has agreed to carry for the City of Norfolk on recurrent coastal flooding. The City of Norfolk requests the General Assembly to establish and fund a joint study committee to further investigate and make recommendations on recurrent coastal flooding in Virginia. The VIMS report entitled, "Recurrent Flood Study for Tidewater Virginia" stated that recurrent flooding impacts all localities in Virginia's coastal zone and it predicted to become worse over reasonable planning horizons, 20 to 50 years. Mr. Pennington stated that the purpose of sharing this document primarily is to solicit any comments or feedback on how it may affect the resolution. Senator McWaters has volunteered to carry the companion bill with Delegate Stolle this session.

Legislative request number two is a request to increase the term of Norfolk School Board member appointments from two years to three years. A comparison that was conducted by Virginia School Board Association shows a matrix of the types of school boards, their terms and the type of appointment, appointed or elected. The City of Norfolk has advanced a request seeking to statutorily change the term of the School Board. This request would be to amend that term from two years to three years.

Councilwoman Whibley asked if they could discuss this and Mayor Fraim stated that the Council is on record to support the three years.

Councilwoman Whibley stated that she would like to be on record as saying that she is not in support of three years and also noted that there are others on Council and other Delegates and former School Board members who think that the reason they chose to change the two-year term is to provide stability to the School Board so that there is not a turnover every time there are appointments and to achieve that they should partner with the other 87 percent of School Boards in the State and make it a four-year term. She further stated that in speaking to other people who she served with when she was on the School Board that they are all in agreement changing terms to comply with the other 87 percent of the School Boards would give them the stability that they are looking for.

Councilman Smigiel stated that he is in favor of an elected School Board and the closest they would get to an elected school board term-wise would be to have four years for school board members. He also stated that there needs to be further discussion and that his main concern is that major boards have four-year terms and the Wetlands Board has a six-year term. He stated there is a way to phase this in and that more conversation is needed.

Councilman Protogyrou stated that they should go forward as it is and then they can discuss it and change it later.

Senator Alexander stated that once the legislation is dropped, they would like to have a Council that is united and they don't want to be in a situation where they are giving testimony for the Education Committee and they have a divided Council.

Legislative request number three is one bill with two separate City Charter changes. The first being City Council has requested to conform its statutorily required Council meetings to that of surrounding jurisdictions. The Norfolk Council requests the General Assembly to reduce its statutorily required 36 Council meetings per calendar year to one Council meeting per month, as typically required of most Virginia local government councils, with Council still having the discretion to set their own calendar as they choose to do so. The next portion of the City Charter request has to do with creating a Deputy Chief of Police position, which City Council requests the General Assembly to amend its City Charter to create one new unclassified Deputy Chief of Police position.

Mr. Pennington stated that he wanted the General Assembly members to have copies of the Hampton Roads Transportation Planning Organization Draft 2014 Legislative Priorities as well as the Hampton Roads Planning District Draft 2014 Legislative Priorities. The TPO is calling for the Commonwealth to continue to pursue federal funding for preparation of a Tier II Environmental Impact Statement for the continuation and expansion of intercity passenger rail.

Secondly, Norfolk has also embedded in its draft 2014 package a request for the Commonwealth Transportation Board to be based on congressional districts so that representation is aligned based upon the population of the Commonwealth. Specifically, to have one CTB member appointed for each Congressional district, while retaining the current number of At-Large members.

Also in the same HRTPO package dealing with limiting VDOT's ability to incorporate deferred and ongoing maintenance on the public/private transportation projects. In addition, the HRTPO supports encouraging VDOT to reexamine

existing contracts and to have Highway Maintenance and Operations Funds replace toll dollars for the funding of maintenance.

Hampton Roads Planning District Commission 2014 draft package, noting that Uranium Mining opposition is called out specifically and Storm Water Management Program has also been called out specifically. Lastly, Norfolk has included as legislative priority nine or ten, a support of legislative request for a local option to regulate retail plastic bag use.

Also included in the packet is Hampton Roads Transit's draft request letter regarding HRT Board appointments. Discussion ensued about efforts to change the method of voting on the HRT board to one that reflects jurisdictional funding.

With no further business remaining, Mayor Fraim adjourned the meeting.